

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

RONALD CONNER, #74007

PLAINTIFF

V.

CIVIL ACTION NUMBER: 4:04CV174-TSL-AGN

SANDRA ATWOOD

DEFENDANT

JUDGMENT OF DISMISSAL WITH PREJUDICE

This cause came before the Court for a duly-noticed and scheduled non-jury trial at 9:00 a.m. on July 27, 2006. Present for trial were Defendant Sandra Atwood, Lee Thaggard as counsel for the defendant, and the plaintiff's requested witness, MDOC inmate Saul Mata. The Plaintiff failed to appear. After waiting for an hour beyond the scheduled time for trial, the trial was commenced in the Plaintiff's absence and witness Saul Mata testified that he had no knowledge of the facts of the case. The Defendant then moved the Court for dismissal of this action for the Plaintiff's failure to appear and prosecute this matter at trial. After due consideration of the record, the applicable law, and being otherwise fully advised in the premises, the Court granted the Defendant's motion. In accordance with the Court's order, incorporated herein by reference, it is therefore

ORDERED AND ADJUDGED that this case be, and is hereby, dismissed with prejudice. Each party shall bear his/her own costs.

SO ORDERED AND ADJUDGED, this the 28th day of July, 2006.

/s/ Tom S. Lee

UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Lee Thaggard
Lee Thaggard (MSB #9442), of
BOURDEAUX & JONES, LLP
P. O. Box 2009
Meridian, MS 39302-2009
(601) 693-2393
Attorney for Defendant